3 Although there is much Material both in the representations made by the petitioner as well as in the counter affidavit now filed by one of the Deputy Secretaries of the Central Government dealing with specially the question of integration, the matter for examination is not really whether to-day the material examined in one way would support the decision taken by the integrating authority so for as the disputed equations are concerned. The substantial question is whether the proceedings of the Advisory Committee and connected papers containing the decision of the integrating authority before the publication of the final ISS list contain sufficient evidence of the application of the said principles.

4 As the persons concerned are non-gazetted officers of the State on the matter was dealt with by the State Advisory Committee, copy where of has been placed before us by the Government Pleader, we do not find any indication of the matter having been considered in the manner mentioned above. The only clear statement of the case so far as the Petitioner's complaint is concerned is a single sentence rejecting his prayer that 'the duties of the Chief Reporter were of a higher nature than the Stenographers of Bombay'.

5 There is no alternative, therefore, but to quash the rank assigned to the petitioner in the final ISS list of the non-gazetted officers of the Department of Publicity and Information & to direct the Central Government to assign to him his correct position after considering the question of equation raised by him after giving an opportunity to him and other persons likely to be effected by the ultimate decision of the integrating authority of making representations. We order accordingly. Time six months.

A. NARAYANA PAI,
Chief Justice.

S. R. RANGE GOWDA,
Judge.

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NOTIFICATION

Dated 26/28th July 1972.

No. GAD 60 INS 71, Whereas the final Inter State Seniority List of Stenographers of Mysore Government Secretariat as on 1st November 1956 was published in accordance with the decisions of Government of India in Part III-1 of the *Mysore Gazette* dated 6th May, 1965 under notification No. GAD 58 INS 64, dated 30th April, 1965 read with notification No. GAD 15 INS 65 dated 20th January, 1967 and GAD 222 INS 69, dated 11th July, 1969;

And, whereas, the Mysore High court in its judgment dated 23rd March 1971 on the writ petition No. 398/67 (Khaja Hasnuddin Vs. State of Mysore and others) quashed the rank assigned to the petitioner in the said final Inter-State Seniority List and directed the Government of India to re-examine his case of seniority after giving him and all others likely to be affected by the ultimate decision an opportunity to make representations;

And, whereas, the representations submitted by the petitioner Sri Khaja Hasnuddin, and others in pursuance of the judgment of the High Court were considered by the Government of India in consultation with the State Advisory Committee.

Now, therefore, in exercise of the powers conferred by the proviso to Article 309 of the constitution and in accordance with the decisions of the Government of India under the provisions of Section 115 (5) of the States Reorganisation Act, 1956 (Central Act 37 of 1956), the Governor of Mysore is pleased to confirm the rank assigned to Sri Khaja Hasnuddin at Sl. No. 53 in the final Inter State Seniority List of Stenographers of Mysore Government Secretariat as an 1st November 1956, cited above.

By Order and in the name of the Governor of Mysore,

B. P. PATIL,
Deputy Secretary to Government, General Administration Department (Integration).

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